



Steven L. Beshear  
Governor

Robert D. Vance, Secretary  
Environmental and Public  
Protection Cabinet

Timothy J. LeDonne  
Commissioner  
Department of Public Protection

Commonwealth of Kentucky  
**Public Service Commission**  
211 Sower Blvd.  
P.O. Box 615  
Frankfort, Kentucky 40602-0615  
Telephone: (502) 564-3940  
Fax: (502) 564-3460  
psc.ky.gov

Mark David Goss  
Chairman

John W. Clay  
Vice Chairman

Caroline Pitt Clark  
Commissioner

Honorable David Jeffrey Barberie  
Corporate Counsel  
Lexington-Fayette Urban County Government  
Department Of Law  
200 East Main Street  
Lexington, KY 40507

February 11, 2008

RE: Case No. 2002-00277

We enclose one attested copy of the Commission's Order in the above case.

Sincerely,

A handwritten signature in black ink, appearing to read "Beth O'Donnell".

Beth O'Donnell  
Executive Director

BOD/tw  
Enclosure



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Honorable John N. Hughes  
Attorney at Law  
124 West Todd Street  
Frankfort, KY 40601

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Vice Chairman

Caroline Pitt Clark  
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Honorable Hanly A. Ingram  
Attorney at Law  
STOLL KEENON OGDEN PLLC  
300 West Vine Street  
Suite 2100  
Lexington, KY 40507-1801

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Commissioner

Honorable Anthony G. Martin  
Attorney at Law  
P.O. Box 1812  
Lexington, KY 40588

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Mark David Goss  
Chairman

John W. Clay  
Vice Chairman

Caroline Pitt Clark  
Commissioner

Nick O. Rowe  
President  
Kentucky-American Water Company aka Kentucky American Water  
2300 Richmond Road  
Lexington, KY 40502

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Caroline Pitt Clark  
Commissioner

Honorable David Edward Spenard  
Assistant Attorney General  
Office of the Attorney General Utility & Rate Intervention Division  
1024 Capital Center Drive  
Suite 200  
Frankfort, KY 40601-8204

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Honorable Robert M. Watt, III  
Attorney At Law  
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COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

COMPLIANCE OF KENTUCKY-AMERICAN )  
WATER COMPANY, AMERICAN WATER WORKS )  
COMPANY, RWE AKTIENGESELLSCHAFT AND )  
THAMES WATER AQUA HOLDINGS GMBH WITH )  
THE PROVISIONS OF THE ORDERS ) CASE NO. 2002-00277  
APPROVING THE TRANSFER OF CONTROL OF )  
KENTUCKY-AMERICAN WATER COMPANY TO )  
RWE AKTIENGESELLSCHAFT AND THAMES )  
WATER AQUA HOLDINGS GMBH )

ORDER

On July 22, 2002, the Commission established this case to monitor the compliance of Kentucky-American Water Company, American Water Works Company, RWE Aktiengesellschaft and Thames Water Aqua Holdings GmbH with the provisions of the Commission's Orders of May 30, 2002 and of July 10, 2002 in Case No. 2002-00018.<sup>1</sup> We subsequently also used this case to monitor compliance with our Orders in Case No. 2002-00317.<sup>2</sup>

Given the lack of activity in this proceeding for the last three years and finding no benefit to continuing this case on the Commission's docket, we are of the opinion that

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<sup>1</sup> Case No. 2002-00018, Application For Approval of the Transfer of Control of Kentucky-American Water Company to RWE Aktiengesellschaft and Thames Water Aqua Holdings GmbH (Ky.PSC).

<sup>2</sup> Case No. 2002-00317, The Joint Petition of Kentucky-American Water Company, Thames Water Aqua Holdings GmbH, RWE Aktiengesellschaft, Thames Water Aqua US Holdings, Inc., Apollo Acquisition Company and American Water Works Company, Inc. for Approval of a Change of Control of Kentucky-American Water Company (Ky.PSC Dec. 20, 2002).

this case should be closed. Prior to taking such action, however, all parties should be afforded an opportunity to address the continued need for this case.

The Commission, on its own motion, HEREBY ORDERS that each party may within 20 days of the date of this Order advise the Commission in writing of its position on why this proceeding should not be closed and removed from the Commission's active docket.

Done at Frankfort, Kentucky, this 11th day of February, 2008.

By the Commission

Commissioner Clark abstains.

ATTEST:

  
\_\_\_\_\_  
Executive Director